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ConnectME Authority Meeting - February 24, 2017

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STATE OF MAINE
CONNECTME AUTHORITY
145 STATEHOUSE STATION
AUGUSTA, MAINE
04333-0145

ConnectME Authority
Friday, February 24, 2017
2:00 PM

Meeting Minutes

Introduction of ConnectME Authority members and staff – Dick Thompson, Sue Woods, Ralph Johnson, Denise Garland, Sandy Saunders, Bruce Williamson, Lisa Leahy,

Rulemaking, Chapter 101

Memo from staff was read. Assistant Attorney General (AAG) Bill Laubenstein states it is his opinion that the statutory changes made in the last legislative session expressly state that rules are required (MRS Title35-A, Chapter 93, sub-section 9204-A¹) for determining unserved and underserved areas. Without this rule, neither grant program should proceed.

Public Comment:

The Public Advocate, Tim Schneider, spoke to the definition of unserved and underserved existing in § 5 B. and C. of the ConnectME Rule. He stated that the AAG was not aware that this is already defined in statute. He also stated that there is no requirement in statute for the Authority to issue rules for planning grants, there are clearly rules for unserved and underserved.

Ben Sanborn, legal counsel for the Telecommunications Association of Maine, stated that the AAG's response was not fully on point. It is true that there is no rulemaking in regard to planning grants. The rule does authorize expenditure of funds for infrastructure. Ben supports moving forward with the rulemaking process. He also suggested not defining what will or won't be available, just move forward with asking for applications and maybe a clearer vision will develop by that time. Score the applications together, planning and infrastructure with the best projects getting funding.

John Lawrence from Waldoboro has another area for infrastructure grant to finish up the work that was funded by a previous ConnectME infrastructure grant. They wish to request infrastructure grants be funded and not wait six months. Rep. Abden Simmons of Waldoboro said they are interested in continuing progress not going backwards.

Motion was made, seconded and voted in favor to move forward with rulemaking process.

¹ <http://www.mainelegislature.org/legis/statutes/35-A/title35-Ach93sec0.html>

Grant Round Consideration

Authority members requested re-examining decision on proceeding with planning vs. infrastructure grants. Board discussed the smaller amount available for the next round of funding for planning and infrastructure grants. It was agreed that initiating a round as quickly possible would be desirable taking into consideration providers and communities expecting a round to be opened, use of funding that currently exists and the upcoming changes that are expected to the organization pending legislation. The value of projects needs to be emphasized in messaging.

Motion was made to proceed as soon as administratively possible with just an infrastructure round. Motion failed.

Motion was made to initiate the grant process for planning and infrastructure grants, for \$240,000 with more awards being made available if more resources become available. Motion passed.

Staff to prepare material for opening the next grant round to get it out of the door as quickly as possible.

Legislative Update

Section W of the Governor's proposed budget was explained to board members. Board Chair Dick Thompson will explain at the Energy, Utilities and Technology Committee the Authority's budget. Board members agreed to be in support of the creation a broadband office within DECD. Branding of the name is an important consideration and board members agreed that keeping the name ConnectME was valuable. Dick will present testimony in support of the move and that some members wish to keep the name ConnectME. For bond proposals, the board is prepared and ready.

Strategic Plan Review

Board members reviewed and discussed the document presented that lists the strategies and actions that are components of the Triennial Strategic Plan. Four items require contracted services. The board made need to be prioritized those items not requiring contracted services moving forward. Concern was expressed around taking limited resources to items identified as needing contracted services. Discussion took place around data gathered from providers and impact data. Staff time spent on FirstNet was discussed as it pertains to affecting overall work load.

Fund Administration

If Part W of the Governor's proposed budget passes, fund administration work would move to DAFS as a special revenue account. Include this aspect in the upcoming fund administration RFP. Motion was made and approved for staff to pursue and RFP with PUC.

The following were presented by staff:

Staff Report

Financial Reports

FirstNet Update

Staff Activities

February meeting minutes were approved noting that Sandy Saunders name was spelled incorrectly. Ralph Johnson absented from approving minutes as he was not present at meeting.

Public Comment:

Mike Edgecomb with James W. Sewall asked that time be allowed for communities to submit RFPs, 45 days is not unreasonable.